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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,729	04/02/2004	Ryutaro Kogawa	Q80818	9470
23373	7590	08/09/2005	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			TAYLOR, APRIL ALICIA	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/815,729

Applicant(s)

KOGAWA, RYUTARO

Examiner

April A. Taylor

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ✓ 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ✓ 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 07/2005.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Receipt is acknowledged of the Amendment filed 23 May 2005.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawaguchi et al (EP 1030272 A2) in view of Fukada et al (US 2004/0050932 A1).

Re claims 1, 5, 6, 9 and 16-18: Kawaguchi et al teaches a mobile communication terminal 13 corresponding to a cellular phone including a memory card or a like device into which an external card reader/writer can read or write transaction information from or to, wherein the mobile communication terminal 13 includes the transaction information in a communication message and transmits the communication message to a predetermined address. The communication message is an electric mail message. (See paragraphs 160-164, 173-175, 230-234)

Kawaguchi et al fails to specifically teach or fairly suggest wherein the card is a non-contact IC card.

Fukada et al teaches a portable terminal 110 having a non-contact IC card 100 into which an external IC card reader/writer 200 reads or writes transaction information from or to the non-contact IC card 100 (see figure 1; and page 3). In view of Fukada et

al's teaching, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ the well known non-contact IC card to the teachings of Kawaguchi et al in order to provide faster transaction times and less wear and tear on the card and reader.

Re claims 2, 7, and 10: Kawaguchi et al teaches wherein the predetermined address is modified by a user by inputting an input address into the mobile communication terminal (see paragraphs 173-175, 189, and 214-218).

Re claim 3: Kawaguchi et al teaches wherein the predetermined address is modified after an authentication of the user (see paragraphs 173-175, 189, and 214-218).

Re claim 4: Kawaguchi et al teaches wherein the authentication of the user takes place when the user inputs into the mobile communication terminal an authentication password which is identical to a predetermined password (see paragraphs 174).

Re claims 9 and 11: Kawaguchi et al further teaches authenticating a user of the mobile communication terminal when the user inputs the input address before the predetermined address is modified (see paragraphs 173-175, 189, and 214-218).

Re claims 12-15: Kawaguchi et al fails to specifically teach or fairly suggest wherein the card is a non-contact IC card having an antenna, a communication unit, a memory, and a controller.

Fukada et al teaches a portable terminal 110 having a non-contact IC card 100 into which an external IC card reader/writer 200 reads or writes transaction information from or to the non-contact IC card 100 (see figure 1; and page 3). Fukada et al further

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teaches that the non-contact IC card includes an antenna, a communication unit, a memory, and a controller for controlling transaction information between the communication unit and the memory (see figure 1). In view of Fukada et al's teaching, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ the well known non-contact IC card to the teachings of Kawaguchi et al in order to provide faster transaction times and less wear and tear on the card and reader. Furthermore, as evidence shown by Fukada et al, it is well known in the art that a non-contact IC card includes an antenna, a communication unit, a memory, and a controller in order to ensure that the card will function properly.

Response to Arguments

4. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Yamagata et al (US 203/0174839) discloses a mobile communication terminal having an IC chip.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to April A. Taylor whose telephone number is (571) 272-2403. The examiner can normally be reached on Monday - Friday from 6:30AM - 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [april.taylor@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


AAT

06 August 2005



THIEN M. LE
PRIMARY EXAMINER